

## Spreckels Wins the First Blood in Court.

G. A. Davis Brings Two Suits Against P. C. A. People.

Tomorrow Judge De Bolt will resume term work, after calling the cases to set for trial mentioned yesterday, with the Chinatown fire insurance cases. Judge Gear will go on with the criminal calendar, assigning no more cases to either of his colleagues. Judge Robinson will hear probate cases at chambers in the morning, resuming the Kaplani Estate-Thurston ejectment trial in the afternoon.

### THE SPRECKELS CASE.

The big real estate lawsuit of Emma C. S. Watson against Claus Spreckels came up on demurrer before Judge De Bolt yesterday morning. Robertson & Wilder for plaintiff; Kinney & McCannan for defendant. Mr. Robertson stated that he thought the demurrer well taken and asked for ten days within which to file an amended complaint. Mr. Derby of counsel for the defendant asked that if plaintiff were allowed ten days, the defendant have twenty days in which to answer the amended complaint. The demurrer having been confessed, the court granted time to each side as requested.

### OPIUM AS POISON.

The legal status of opium as an article of commerce in the Territory of Hawaii is under submission on briefs with Judge Gear. Wa Sin appealed from conviction in the District Court for selling a poisonous drug, to wit, opium, without a license. For about twenty years prior to annexation, with only break of a few months between the opium license scandal of 1898 and the revolution of 1897, opium was absolutely prohibited in the Hawaiian Islands. Its possession in minutest quantity made the possessor liable to heavy penalties. A ship bringing opium concealed in its permanent structure was amenable to confiscation.

When the Territory of Hawaii was organized, bringing the United States laws of commerce into force here, opium became a legitimate article of trade. This had the natural result of producing opium joints in profusion. To suppress the evil, the authorities had recourse to the law prohibiting the sale of poisonous drugs without a license, on the theory that opium is such a drug. Wa Sin incurred a fine for the alleged misdemeanor and appealed as stated.

Jury was waived, the issue being regarded as one purely of law. E. C. Peters, Deputy Attorney General, appeared for the Territory. R. W. Breckons, U. S. District Attorney, appeared for the defendant, and filed a brief of seventeen typewritten pages. He had been studying the case for months. Judge Gear took the case under advisement, the Deputy Attorney General also filing a brief.

The contention of the defense is that opium is not a poisonous drug within the meaning of the Hawaiian statutes, and further that interference with the opium traffic by Territorial law would be contrary to the Interstate Commerce act and the Constitution.

### TWO SUITS BY DAVIS.

George A. Davis yesterday forenoon brought a libel suit against the Hawaiian Gazette Company, Ltd., claiming \$25,000 damages for injured character, reputation and standing in the community from the news article in yesterday's Advertiser about the dismissal of the Davis-Gear proceedings in the Superior Court of San Jose.

On top of the libel suit Davis sued out a temporary writ of injunction to restrain the Hawaiian Gazette Company, its writers, workmen, etc., from libeling him. He swears to his good reputation and lucrative income as a lawyer. Judge Gear was disqualified, being mentioned in the article complained of, to issue the writ of injunction. Judge Robinson declined to touch it, as he was not presiding Judge at chambers that week. Judge De Bolt refused to sign the injunction, but yielded so far as to make an order to the respondent to show cause why it should not be enjoined. This was taken upon the injunction paper, the order being returnable at 9 o'clock Wednesday morning. Davis rushed the papers to the High Sheriff's office at 12:30, and nothing has been seen of them since.

### COURT NOTES.

There was no evidence for the defense in the divorce case of Isabella M. Lovell vs. Henry Lovell, and Judge De Bolt granted a decree on the ground of desertion. J. J. Dunne for libellant; E. A. Douthett for libellee. Judge De Bolt confirmed the sale of real estate in the suit of Mary E. Foster vs. Ernest Kaal on the report of J. A. Thompson, commissioner. In the equity suit of Lu Kim Woom, alias Hop Wo Lung, vs. Henrietta Fishel, the defendant is allowed ten days in which to plead, etc.

### THE IMMORAL TRAFFIC.

Fukumatsu Dol, under the charge of importing immoral women, was released yesterday on a \$5000 bond. Shigunatsu, who was arrested on Friday, has not yet been brought before Judge Estee. The two female witnesses were released on bonds of \$250 each.

### Delegate Kalaniana'ole's Plans.

Prince Kuhio, delegate to Congress, who intended departing on the Peking for Washington, has postponed the date of his leaving to October. He and the Princess Kalaniana'ole have booked for the S. S. Siberia.

Mrs. L. L. Terry and Mrs. Wm. Akers were passengers on the Peking en route to Salt Lake City.

## MAY GET A NEW LINE

Chilean Company Will Make This a Port of Call.

The long talked of steamship line from Japan to Chile and other countries on the Pacific coast of South America, via Honolulu, may soon become a reality, as a commissioner in the trade prospects there has just returned home and announced that a company to run the line is to be formed.

Fujimura, the commissioner, states that the people of the Chilean Republic now regard Japan as a great world power and are anxious to open commercial relations which had hitherto been practically nil—by means of direct steamship communication. During Mr. Fujimura's stay in Chile, the Congress there had passed a bill granting an export subsidy on all saltpeetre shipped to Japan. Chile's export bounty on saltpeetre was taken off some years ago and it is now put on the product of stimulating trade with that country. Fujimura stated that there is now not a single Japanese emigrant in Chile and that there were good prospects for emigration as the Chilean climate did not differ much from that of Japan and there was need for Japanese labor there.—Japan Times.

## A BIG LINER FOR THIS TRADE

A news agency reports that the Toyo Kisen Kaisha has opened negotiations with the Norddeutscher Lloyd with the object of purchasing its big Asiatic liner the Klauschau (12,000 tons).—Japan Times.

## DR. J. W. WAUGHOP DIES ON STEAMER

VICTORIA, B. C., Sept. 1.—Dr. J. A. Waughop, former superintendent of St. Michael's hospital, died on board the Canadian-Australian liner Moana at 2:30 p. m. on Monday when nearing Cape Flattery, homeward bound. Death was due to heart disease.

Dr. Waughop had been ailing for some time at Honolulu. His wife and son, who is also a medical man, were accompanying him, and they took the remains to Seattle tonight en route to Olympia.

## KAUAI CONVENTION ENDORSES DOLE

The platform of the Kauai Republicans contains a strong endorsement of the administration of Governor Dole. The platform is as follows:

The Republicans of the County of Kauai, assembled by their delegates in county convention, pause on the threshold of this first county convention to honor the memory of their first great leader, the immortal champion of liberty and the rights of the people—Abraham Lincoln; and to covet also with veneration the heroic remembrance and gratitude the heroic names of our late leaders who have more recently been called away—Grant, Garfield, Arthur, Logan, Conkling, Blaine and McKinley. May their memories be faithfully cherished.

In the spirit of those great leaders, and of our own devotion to human liberty and justice, which is the fundamental idea of the Republican party, we send fraternal congratulations to our sister counties and hail with shouts of joy the advent of local self-government, that God-given right of every intelligent people. We reaffirm our adherence to the traditions and policies of the Republican party and proclaim our unswerving allegiance to the principles of that party as contained in its national platform adopted in Philadelphia in 1900; and the platform of the Republican party of the Territory of Hawaii, adopted in Honolulu in 1902.

We reaffirm our unswerving devotion to the supreme and sovereign right of every lawful citizen, without regard to race, color or previous condition of servitude, to cast one free ballot in public elections, and to have that ballot duly counted.

We pledge ourselves to the principles, we pledge ourselves to work for an amendment to our registration laws so that a large part of our intelligent citizens shall not be disfranchised. We endorse the national administration of President Roosevelt for the manner in which he has conducted the business of the country; we also endorse the administration of Governor S. B. Dole for the conservative, honest and faithful manner in which he has carried on the executive department of the Territory.

We pledge ourselves to the electors and the people of the County of Kauai that if the nominees of this convention are elected, we shall use all our influence to the end that the county laws shall be honestly, economically and faithfully administered.

PRINCE L. TOPILE,

Chairman.

FRANCIS GAY,

GUSTAV HANAM.

The naval transport Solace will continue her voyage to San Francisco about Thursday of this week.

The bark Diamond Head from Lahaina to Port Townsend arrived in the Straits on September 1, twenty days out.

## H. N. ALMY RELEASED

Charge of Selling Liquor Not Pressed.

M. G. Simoes was placed on trial for selling liquor without a license, before Judge Gear yesterday morning. Two jurors were excused for cause on stating their objections to accepting the evidence of police spies.

H. N. Almy, who appealed from a fine of \$250 and costs in the Honolulu District Court for selling liquor without a license, was released by Judge Gear on nolle prosequi requested by the Attorney General.

Tom Larkin, who appealed from sentence of four months at hard labor and costs in the Honolulu District Court for vagrancy, was released on nolle prosequi asked for by Deputy Attorney General Peters.

### INSURANCE CASE.

W. W. Ahana vs. Insurance Co. of North America, a Chinatown fire case, was on trial all day before Judge De Bolt. J. Alfred Magoon and J. Lightfoot for plaintiff; Robertson & Wilder for defendant. The following jury is trying the case. Owen J. Holt, G. C. Potter, P. M. Lucas, Chas. B. Dwig, W. J. Baird, F. B. Angus, Benito Guerrero, Lawrence H. Dee, L. Warren, Jno. Kuanaa, Edw. C. Holstein and Geo. H. Karattli.

### JUDGMENTS.

Stipulation for judgment overruling motion to quash summons has been filed by defendant and his attorney, C. W. Ashford, in the suit of Wing Wo Lung Co. vs. C. Winam and Bishop & Co., garnishees.

Judge Robinson has signed judgment for \$404.18 debt and \$55.18 costs against defendants in the suit of Hoffschlager & Co. vs. Keahalaanapaka and others, doing business as the copartnership of Yim You.

Judge Robinson rendered an opinion in the action to quiet title of E. M. Magoon against L. E. Lucas, finding as follows:

"In my opinion the complainant is entitled, upon the evidence adduced in this case and according to law, to the judgment and decree of this court quieting her title to the premises in question and decreeing the surrender and cancellation of the deed mentioned and described in her bill of complaint."

### PROBATE.

Judge Robinson admitted the will of Ho Kong Wing to probate and appointed the widow, Ho Fui Jin, executrix without bonds according to the wish of the testator. W. A. Whiting for petitioner.

M. T. Simonton, master, has reported on the several reports of W. O. Smith, guardian of the James Gay minors, finding each of them correct.

The accounts of J. Lightfoot, administrator of the estate of J. K. Kama-mano, deceased, were referred by Judge Robinson to M. T. Simonton as master.

Mrs. Flora J. Center has presented her first annual account as guardian of her six minor children. She charges herself with \$614 and asks to be allowed \$2423.31, leaving a balance of \$1809.31 due herself. In the guardian's petition asking for approval of the account, it is stated that Nadine L. Center arrived at majority the past year and Jean A. Center will do so in November next. No payment of the share belonging to Nadine had been made, it being agreed to hold the state belonging to the minors intact for the present.

Judge Robinson in the afternoon resumed the trial of Kaplani Estate vs. L. A. Thurston, ejectment.

### THE CAMPBELL ESTATE.

J. J. Dunne has served notice on the trustees of the estate of James Campbell, deceased, that he appears as attorney for Abigail Campbell Kawananakoa, eldest daughter of deceased, in probate court proceedings relative to that estate.

### NEW SUITS.

Bishop & Co. have brought suit against Lee Chu and C. Wai Tong, doing business as the Sing Lung Company, to recover \$457.25 due on a promissory note dated February 17, 1903.

Lewers & Cooke yesterday filed a suit against the Waiwala Hotel Company to recover \$4,544.87 alleged to be due on a promissory note which is secured by a real estate mortgage.

Suit for divorce was instituted yesterday by Fnebe A. McLean against John McLean, a section being the ground of action. They were married August 1, 1901. Judge Robinson allows the libellant to prosecute without payment of costs.

### STIPULATION.

It is stipulated in the suit of V. O. Teixeira vs. American Dry Goods Association and L. B. Kerr that the respondents may have until five days after the return to Honolulu of A. S. Hartwell and L. B. Kerr in which to answer, plead or demur to the complaint, provided that no dilatory pleadings shall be filed and that the cause may be heard at any time after the filing of answer, plea or demurrer.

## THE GUARD STANDS HIGH

Major McClellan's Report Is Here.

Col. J. H. Soper, Adjutant-General of the Hawaiian National Guard, has received from Washington a report of the regular army inspection of the regiment during the year. The report was made to the War Department by Col. McClellan and sent back by Col. Parker of the Thirteenth Cavalry, who is also Acting Assistant Adjutant-General.

The following is the extract from the report of Major John McClellan, Artillery Corps, sent to the War Department, Washington, of his inspection of the National Guard, Territory of Hawaii:

I have the honor to enclose herewith Inspection Reports in duplicate of the field staff, and band, and of seven companies of the National Guard Regiment of Hawaii.

This much of the regiment is stationed in Honolulu and was reviewed and inspected by me on May 20th.

The two battalions made a good appearance at review and inspection. The men marched well and officers saluted properly.

It appeared that the companies are not properly equipped for the field in several particulars, but that a requisition was made by the Governor March 31, 1903, for blankets, ponchos, camp colors, tents, and camp equipment, including shelter tents, for the regiment.

The regiment had none of the U. S. standard magazine arms and no return is therefore made for them.

The regiment is sufficiently armed, uniformed and equipped for service in the field in these islands.

The regiment has not had any practice marches nor camps of instruction during the year ending June 30, 1903, but has had one regimental drill, two battalions, April 19, and same day had skirmish drill, sham battle and volley firing, 385 men. On July 4th, regiment had field practice, and target practice with field pieces at 1700 yards' range, 247 men.

In September the regiment with 285 officers and men had skirmish firing at 100, 200 and 500 yards.

Some companies had two battalion drills and some had four.

The regiment has been turned out a number of times for parade and review and claims to have had seven regimental drills.

The regiment was reviewed by the Governor, February 21st, 1903, and gave an exhibition drill, artillery drill with Hotchkiss guns and also a competitive Infantry Drill between three companies, all of which were excellent, witnessed by myself and a board of officers whom I appointed as judges.

It was inspected once during the year by its Colonel.

I would recommend that the Springfield rifle and accompanying equipments be turned in, and this regiment be furnished with U. S. magazine arms and equipments therefor.

The following remarks were also made by Major McClellan on the above inspection:

The field and staff presented a good appearance at review and inspection of the regiment.

Company D—This company made a very creditable showing at review and drill, marching steadily and showing a readiness to learn drill and improve. The captain is a German who evidently understands something about discipline, and will, if the opportunity affords, make a good company of this one. But he states that owing to the frequent rains and to fact that they have no armory, or proper drill shed, at Hilo, he has but few opportunities for much drill or inspection. What is reported as a drill shed, he states, is a hall where they have meetings, but have no room for much drill.

Company F—This company is extremely well drilled in company drill, and presents a neat and soldierly appearance. This is the best and largest company in the regiment and marches extremely well.

Its discipline is shown by its only having six absentees from inspection. This is one of the best drilled companies of national guard that I have ever seen anywhere.

### A Bulletin Blunder.

The public was misled by an item originally published in the Bulletin about the composition of the Board of Directors of the Hawaiian Sisal Co., Ltd. The correct list of officers is as follows: President, August Dreier; vice-president, Wm. H. Hoogs; secretary, H. W. S. Edmunds; treasurer, W. H. Paim; auditor, A. W. T. Bottomley; but these do not constitute the Board of Directors. The latter are August Dreier, Wm. H. Hoogs, Robert Catton, W. T. Lucas and James Wakefield.

There are 385 applications for shares locally and 6990 from California.

Jack—"I hear you are going to marry Miss Prettyyou. Permit me to congratulate you on your excellent taste." Tom—"But the engagement is off. I'm not going to marry her or any one else." Jack—"Indeed! Then allow me to congratulate you on your good sense."—Chicago Evening Post.

## FORESTER HALL'S TOUR

Spent Ten Days on Maui in Kula District.

The United States Forestry Bureau is taking a practical interest in forestry preservation on the islands, and has sent Forester Hall from Washington to investigate and report on forestry matters and cognate subjects. Mr. Hall has spent the last ten days on Maui, a large part of the time in the saddle, and has made some interesting observations of the conditions that exist here. He states that at present more attention should be paid to the preservation of the forests we have than to the matter of reforestation. He states however that in due time the matter of reforestation should be taken up, and intimates that the U. S. Forestry Bureau at Washington will lend material aid at the proper time.

He visited the Kula forest reserve, and expresses himself strongly in the matter of protecting and extending these forests above the 4,000 foot level. It is stated that Col. W. H. Cornwell, who has a lease on some of these lands, has offered to surrender his lease to all above the 4000 foot level, even including some good corn land, provided he can secure compensating leases on lands on a lower level. Forester Hall strongly approves of the proposition, and as Supt. Cooper and L. A. Thurston were in company with Mr. Hall while he was inspecting these lands and the Polipoli springs, it is possible that the government will see its way to exchange leases with Mr. Cornwell.

Mr. Hall also visited the forest reserves at the head of the new big ditch, and finds that they are being reasonably well protected. He also suggested the planting of rubber trees, although productive trees are not so much the care of the Forestry Bureau as is the preservation of the forests themselves.—Maui News.

## ANNUAL MEETING OF THE Y. M. C. A.

The annual meeting of the Young Women's Christian Association will be held in the Association rooms at 8 o'clock this evening. Mrs. E. W. Jordan, president of the Association, will preside. Mrs. B. F. Dillingham, the vice-president, will conduct the devotional exercises. Mrs. Atwood will play two piano solos, and Miss Hartnagle will favor the gathering with appropriate vocal selections.

The election of officers for the coming year will take place, and short reports on the year's work will be read. The business meeting will be followed by a social. All members of the Association, with their friends, are requested to attend.

### The Grouchy Man.

What makes a man grouchy in the morning? Ninety per cent of the male beings who are obliged to get up and eat, do so bristling like a hungry bear. If you have ever lived in a boarding house or where a dozen fellows were sleeping and eating, you must have noticed that the early morning atmosphere was dangerously surcharged with a kind of spontaneous combustion, verging on the exploding point, but just missing it. And how the women folk scurry around to quickly feed the brute and turn him loose! It takes a rush meal, a rush to a car, a stogie and a newspaper, with a couple of grunts about the weather and a kick because the Pirates lost a game, before his expansion pipes get to working properly, and by about the middle of the forenoon it's safe to get within shouting distance of him.

More than two-thirds of the world's kicks are registered before 9 o'clock in the morning, and most of them by men who would take that same thing they are kicking about as a matter of course two hours later in the day. You may take it for granted that a fellow who is grouchy after 9:55 a. m. is a chronic, and there's no possible relax until he's asleep.

It's surprising how the women tolerate it. Some of 'em don't. Occasionally she's the grouchy, and then it's awful!

A surly man is an intolerable brute. With a selfish lack of consideration for the feelings of every other mortal but himself, he foolishly imagines that he can growl the world into being desperately afraid of him; while, as a matter of fact, there aren't three people in the whole world who are the least bit affected or who care whether he likes it or not.

Funny, when you come to think of it, why a man will go off the handle, and vomit forth his anger like a volcano, when he knows well enough that outside of the thousands that quake, only isn't a soul that knew he was mad. But anger is blind, deaf and dumb and knows nothing.

So you can't afford to give away to your temper, ladies. Leave that to those brutes, the men. It isn't at all becoming, and not in the least bit nice; and such havoc as it works in a pretty face is appalling.—Pittsburg Dispatch.

### HOW IT'S DONE.

An observation now we make. As on the old world plunges: One touch of nature makes us kin, But two will make us spouses.—Puck.

Photographer—"Don't assume such a fierce expression. Look pleasant!" Murphy—"Not on your life. My wife is going to send one of these pictures to her mother, and if I look pleasant she'll come down on a visit!"—Philadelphia Record.

## PUNAHOU WILL OPEN

New College Year Begins This Morning.

(From Monday's Daily.)

Oahu College, in all departments, will open for its sixty-third year this morning at nine o'clock.

The prospects for a full attendance and for a good year are excellent. President Griffiths reports that the advance registration is much in excess of that of last year when there was the largest total attendance in the history of the institution. If that is any criterion, the year ought to be a prosperous one.

The boarding department opens in better condition than ever. The rooms are comfortably filled and the students seem anxious for work after their long vacation.

During the year, the college has added to its equipment and is now prepared to do better work than ever. The increase in the library, made possible by the generosity of Mr. P. C. Jones, will add to the efficiency of all departments. The commercial department with its new course of study and additional typewriters has now the facilities for the best of work.

There are few changes in the teaching staff. Mr. W. J. MacNeil, the new instructor in science, comes well recommended. He has his master's degree from Cornell. He has studied also at Harvard, Stanford and University of California. In his nine years' experience in schools in the East and the West, he has continuously taught with marked success the subjects given at Punahou. Mr. Gerard Barton, who takes the position of director of music, comes from San Francisco where he has been organist of St. Stephen's church and has had private pupils in piano, voice and organ. He has held a high place among musical people in that city; the education committee have received letters from the first musicians in San Francisco, which spoke of Mr. Barton's work in the most commendatory way and which expressed regret that he was to leave the city. His compositions are known to musicians in Honolulu. That he will build up the department at the college the Trustees confidently expect. He begins his services as organist in St. Andrew's Cathedral next Sunday. Miss Annie F. Parke, well known in Honolulu art circles, will teach the drawing at the college.

Miss Helen K. Sorenson will act as principal of the Punahou Preparatory School during the absence of Mr. French who is spending a year in study at Harvard. Miss Mary P. Winnie will be vice-principal during the year. Miss Ueckie with an assistant, Miss Charlotte Hall, will have charge of the first grade and of the kindergarten. Mrs. S. P. French will be substitute teacher in the Preparatory school.

The football team will be captained again this year by Mark Robinson who led both the football and baseball teams to victory last year. While several of the old players will not return, the outlook for the team is fair for there are many other younger players ready to take the vacant places. Mr. Anderson will coach the team. Miss Florence Hall, who is again captain of the basketball team, is already laying her plans to bring out a successful team, with the assistance of Mr. Forbes as coach.

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